



# **I CAN NETWORK FEEDBACK, COMPLAINTS AND INCIDENTS MANAGEMENT POLICY AND PROCEDURES**

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# **1. I CAN NETWORK FEEDBACK, COMPLAINTS AND INCIDENTS MANAGEMENT POLICY AND PROCEDURES**

## **1.1. Policy and Commitment**

The importance of safety and wellbeing is emphasised as crucial for the I CAN Network. It is seen as fundamental for achieving the desired outcomes in I CAN®'s program logics. Safety and wellbeing are the basis for fostering self-acceptance, pride, belonging, and confidence among young Autistic and Neurodivergent individuals. To meet program objectives, I CAN documents and improves safety and wellbeing practices through actively seeking feedback, addressing complaints, and managing incidents with the highest priority and care.

I CAN promotes a culture where positive and negative feedback is valued and where individuals feel comfortable to raise complaints. I CAN staff receive and make all reasonable attempts to resolve complaints in a timely manner. I CAN management review and evaluate complaints and the ways in which complaints are resolved regularly. Incidents of concern including events, hazards, or near misses are recorded and reported with care and priority by I CAN staff. Incidents of concern are analysed regularly to improve future practices in line with data collection over time. I CAN ensures that its staff are trained with regard to their responsibility when handling and recording feedback and complaints and when managing and recording incidents.

This policy covers feedback and complaints provided to I CAN from relevant persons, in line with the [Disability Services and Inclusion \(Complaints and Incidents Management\) Rules 2023](#). It aims to:

- Provide clear expectations to the I CAN community regarding receiving feedback, handling complaints, and managing incidents.
- Uphold the right of all relevant persons to provide feedback and/ or make a complaint.

- Guide I CAN's response to feedback and complaints in a manner consistent with procedural fairness and natural justice.
- Support I CAN staff to view complaints as a means of improving I CAN's programs and events.
- Guide I CAN's response to incident management including recording, reporting and managing incidents of concern and using incident data to improve practices.
- Guide I CAN management on the collection, evaluation, and storage of feedback, complaints, and incident data.

## 1.2. Overview

I CAN values feedback from relevant persons. I CAN receives and responds to complaints and investigates incidents treating each seriously, sensitively and responsively. When receiving feedback and complaints and managing incidents, I CAN considers procedural fairness, confidentiality, and privacy with the highest priority. While I CAN's core objective is to build relationships with relevant persons that are positive, it recognises that at times they may have negative feedback or a complaint about their interaction with I CAN. I CAN is committed to taking reasonable action to resolve the matter with relevant persons promptly and fairly. I CAN will use the information provided from the feedback or complaint to develop and refine its practices for continuous improvement. I CAN ensures that staff involved in the management of incidents understands their role and responsibilities, including reporting to and cooperating with external authorities. I CAN provides appropriate information, support and assistance to persons impacted by an incident and the opportunity for all relevant stakeholders to provide feedback or make a complaint.

I CAN is committed to responding to all feedback, complaints, and incidents of concern in line with the [Disability Services and Inclusion \(Complaints and Incidents Management\) Rules 2023](#).

### **1.3. Clarity for I CAN Staff**

As a leading employer of Autistic and Neurodivergent people, I CAN recognises that various factors such as social communication hurdles, differing interpretations, and the weight of anxiety, can render Autistic and Neurodivergent people more susceptible to vulnerabilities with the law. Therefore, this policy is intended to inform and protect the wellbeing of supervising adults from allegations or misunderstandings. We aim to ensure this policy is accessible, clear and understood by all. Various parts of the policy require managers and staff to exercise discretion. This policy accompanies I CAN's procedures for responding to feedback, handling complaints, and managing feedback and our unique feedback, complaints, and incident management training.

We have included definitions and examples at the end of this policy. If you have a concern, make sure you tell a responsible person in I CAN Network (e.g., the CEO, a member of Senior Leadership, a Customer Service Manager, etc). If further explanation of any of the instructions provided here is required, it should be sought from the CEO or a member of Senior Leadership.

### **1.4. I CAN's Unique Duty**

I CAN Network recognises its unparalleled duty to Autistic and Neurodivergent young people. Being a leading provider of support programs, it shoulders the responsibility of championing and setting high standards for receiving feedback, handling complaints and managing incidents. I CAN recognises that the sensory, social and communication barriers Autistic young people face may make providing feedback or raising a complaint more difficult, and we seek to break those barriers down. Our innovative reporting mechanisms that uphold this policy are accessible, visually communicated and easy to follow for our wonderful neurodivergent staff and young people.

Safety and wellbeing underpin the I CAN ethos. The wellbeing of I CAN young people fits into an 'I CAN' attitude right from the start. Our leadership, governance and culture models

open dialogue and seeks to improve practices from positive and negative feedback, complaints and incidents through recording, collating and analysing data over time. Our [actionable values](#) strongly reflect this.

### 1.5. I CAN's Approach Enables our Responsibilities

I CAN Network ensures that all its systems and processes align with a culture where relevant persons feel comfortable to raise complaints. This is a shared responsibility for all staff at every level of the organisation.

- I CAN's [Code of Conduct](#) ensures that all relevant persons feel comfortable to provide feedback and/or raise a complaint.
- I CAN's **Child Safety Policy Procedures** outline a specifically child-focused procedure for feedback, complaints, and concerns.
- I CAN Network's Board of Directors, Sub-Committees, CEO, Deputy CEO & Child Safeguarding Officer, and Management promote a culture of safety and wellbeing for all participants by carrying out regular risk assessments that minimise critical incidents.
- The [Privacy and Health Information Policy](#) gives clear guidance on record keeping and information sharing.
- Our **Equal Opportunity Policy (or equivalent)** ensures that I CAN actively seeks to include vulnerable and diverse members of the community and take extra measures to make them feel comfortable to provide feedback or raise a complaint.
- Our **Recruitment Policy** enables us to identify the right staff to make all our participants not only feel safe and welcome but comfortable to express their unique selves and perspectives.

## **1.6. Our Openness and Integrity Enable Feedback and Complaints**

I CAN value, listen to and respect the voices of relevant persons. I CAN Network gauges participant experience through observable behaviours, like freely sharing interests, active engagement and participation, and displaying ease and openness in the program environment. Most importantly, it is feeling confident to provide feedback or make a complaint and knowing the steps to take to do so.

Youth participation in the development of our approach to receiving feedback, handling complaints and managing incidents is essential. We take every step possible to inform, engage, and consult with our staff members and our program participants. We do this in a number of innovative ways that are accessible to the unique I CAN Network community.

- Co-creation with young people on the conceptualisation of what it means to have a positive experience with I CAN.
- Targeted feedback channels that encourage communications from relevant persons.
- Regular review of feedback and complaints data to improve program practices.

## **1.7. Equity and Diversity Enable us to be Open**

At I CAN we create an environment where our participants, staff and communities' diverse circumstances and needs are recognised, respected and supported. Our aim is to ensure all people feel comfortable to provide feedback and/or raise a complaint. Being open means we listen and consider the needs of:

- Aboriginal and Torres Strait Islanders
- People with disability
- People from culturally and linguistically diverse (CALD) backgrounds
- Children and young people who are unable to live at home
- LGBTIQ+ people

We use the feedback, complaints and incidents recorded and analyse the data received to review policies and procedures that reflect best practice and include vulnerable

groups in their design. Our wonderful diverse staff, who mostly consist of Autistic and Neurodivergent people, champion the rights and celebrate the unique young people at I CAN. It goes beyond training and policies though. Our lived experience is what makes us understand and strive to empower minority groups.

### **1.8. Relevant persons Have a Right to Provide Feedback and Complain**

I CAN will handle and seek to resolve all complaints with recognition, respect, dignity, and support. This includes respecting privacy and maintaining the confidentiality of complainant information except as required by law to investigate and resolve the complaint.

Any feedback, complaint, or concern about alleged child abuse or harm will be reported to the police or relevant authority by our Child Safeguarding Officer. Please refer to I CAN's Child Safety Policy 1.3 *Procedure For Responding To Child Abuse And Neglect*

I CAN will not treat relevant persons adversely because they provide feedback or make a complaint.

I CAN will manage any conduct from a complainant that negatively and unreasonably affects relevant persons. We advise staff to record and report all unreasonable complainant conduct incidents they experience or witness.

### **1.9. We are Positive and Gutsy with Our Training and Awareness of the Feedback, Complaints and Incident Management Policy (this policy).**

I CAN is committed to the ongoing development and delivery of in-house I CAN training that considers the accessibility needs of relevant persons. This includes understanding our unique responsibilities to responding to feedback, handling complaints, and managing incidents procedures.

I CAN will actively seek feedback from relevant persons at the end of each program or event.

I CAN will provide information to relevant persons including in ways that are accessible and that that enables them to know:

- How to make a complaint;
- How to access support to make a complaint; and
- I CAN's process for resolving complaints.

### **1.10. Making a Complaint**

I CAN will support relevant persons to:

- Make complaints.
- Make anonymous complaints.
- Raise an issue or concern about I CAN program or event delivery.
- Access supports to assist with making a complaint
- Within reason and where possible, resolve their complaint in a timely manner.

### **1.11. Receiving complaints**

The complaint will be acknowledged by I CAN within 5-working days of the complaint being received. I CAN will:

- Keep the complainant informed of the complaint progress.
- Appropriately involve the complainant in the resolution of the complaint.
- Attempt to resolve complaints within 28-days.
- Keep the complainant updated about decisions, actions, and outcomes relevant to the complaint.
- Advise how the complainant appeals a decision where they are not satisfied with the outcome and of the relevant external bodies available.

### **1.12. Reviewing and auditing**

I CAN will maintain a systematic record of feedback, complaints, and incidents and identify and analyse any trends or patterns as a part of the continuous improvement of its services for 7-years. Annually, and/or following every critical incident or update in legislation,

a review shall be conducted to assess whether this policy and its accompanying procedures require modification to better improve program practices of the I CAN Network Ltd. I CAN will report information relating to complaints to the relevant internal department or other bodies if requested. I CAN will report on complaints to relevant agencies in compliance with legal and funding obligations.

### **1.13. Definitions**

#### ***Complaint***

A complaint may be raised by an I CAN person. A complaint is an expression of dissatisfaction that arises out of I CAN's provision of a service, or failure to provide a service, for which a response or resolution is explicitly or implicitly expected.

#### ***Complainant***

Relevant persons including a program or event participant or a participant's support network including parents/carers or advocates. An entity, customer, or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body.

#### ***Feedback***

Feedback is an opinion regarding performance. Feedback may be positive or negative.

Feedback may be provided by relevant persons.

#### ***Incident***

An incident is defined as an event that causes or has the potential to cause harm. Incidents are classified as simple (near miss), moderate (minor injury), or major (reportable).

#### ***Reportable Incidents***

In incident involving death, serious injury, abuse/neglect, unlawful physical/sexual contact, and unauthorised restrictive practices.

***Young Person/People***

A person under the age of 18-years.

***Relevant Persons***

Refers to staff, volunteers, participants, schools, teachers, families, contractors and anyone involved with I CAN.

***Wellbeing***

A positive state experienced by individuals and groups. Similar to health, it is a resource for daily life and is determined by social, economic, and environmental conditions.

***Accessible***

“Accessible” means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. The person with a disability must be able to obtain the information as fully, equally and independently as a person without a disability.

***Equity***

The recognition that we do not all start from the same place and must acknowledge and make adjustments to imbalances.

***Risk***

The probability of circumstances, conditions or events to increase the chance of harm.

**1.14. Relevant Legislations and Standards**

- *Disability Services and Inclusion Act 2023*
- *Disability Services and Inclusion (Consequential Amendments and Transitional Provisions) Act 2023*
- *Disability Services and Inclusion (Compliance Standards and Alternative Compliance Requirements) Rules 2023*

- [Disability Services and Inclusion \(Code of Conduct\) Rules 2023](#)
- [Disability Services and Inclusion \(Complaints and Incident Management\) Rules 2023](#)
- [Disability Services and Inclusion \(Regulated Activities\) Determination 2023](#)

The United Nations Convention on the Rights of the Child

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

*Charter of Human Rights and Responsibilities Act 2006* (Vic)

<https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006/015>

*Privacy Act 1988* (Cth) <https://www.legislation.gov.au/C2004A03712/2019-08-13/text>

*Privacy and Personal Information Protection Act 1998* (NSW)

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1998-133>

Relevant Legislation

- The Disability Act 2006
- Charter of Rights and Responsibilities Act 2006
- NDIS Act 2013 Relevant Standards
- NDIS Core Practice Standards

International United Nations Convention on the Rights of Persons with Disabilities United

Nations Convention on the Rights of the Child 1989

Universal Declaration of Human Rights 1948

Australian Human Rights Commission Act 1986 (Cth)

Disability Discrimination Act 1992 (Cth)

Freedom of Information Act 1982 (Cth)

Privacy Act 1988 (Cth)

Privacy Amendment (Enhancing privacy protection) Act 2012 (Cth)

Privacy Amendment (Notifiable data breaches) Act 2017 (Cth)

Privacy Amendment (Private Sector) Act 2000 (Cth)

Privacy Amendment (Public Health Contact Information) Act 2020 (Cth)

Racial Discrimination Act 1975 (Cth)

Sex Discrimination Act 1984 (Cth)

Work Health and Safety Act 2011 (Cth)

Disability Services and Inclusion Act 2023

Do all state government departments need to be listed here?

### **1.15. Policies and Standards**

Commission for Children and Young People Victoria

<https://www.google.com/url?q=https://ccyp.vic.gov.au/&sa=D&source=docs&ust=1715926248596325&usq=AOvVaw0U7Ye7UB-Ype32Pa82x17P>

State and Territory Regulations of Privacy

<https://www.alrc.gov.au/publication/for-your-information-australian-privacy-law-and-practice-alrc-report-108/2-privacy-regulation-in-australia/state-and-territory-regulation-of-privacy/>

## **2. I CAN NETWORK FEEDBACK AND COMPLAINTS**

### **PROCEDURE**

#### **2.1. Feedback**

Relevant persons can register feedback to I CAN via an [online form](#), speaking with an I CAN staff member, or contacting I CAN directly by the phone or email. The online form and contact information is available on our website: <https://icannetwork.online/contact-us/>.

#### **2.2. Complaints Procedure**

Where a complaint is made verbally the staff member receiving the complaint will:

1. Identify themselves - as appropriate. Listen to the complainant respectfully and validate their feedback, concern or complaint. Record details of the complaint and determine the follow up desired by the complainant.
2. If the complaint is being made on behalf of a young person, the staff member will identify with the complainant, whether or not the young person is aware that the concerns have been raised on their behalf, and the nature of any discussions the complainant has already had about the complaint with the child or young person.
3. Explain the I CAN complaints resolution procedure, and advise the complainant of alternative courses of action if required.
4. Resolve the complaint immediately if possible, or make a commitment to resolve the complaint within 28 days.
5. Provide the complainant with the details of the complaint, the I CAN resolution procedure, and future courses of action in writing via email within five working days.
6. Follow up the complaint as appropriate by providing the complainant with feedback regarding the result of any action taken to resolve their complaint as soon as is practicable.
7. Any feedback, complaints, or concerns involving child abuse or harm will be escalated to the Child Safeguarding Officer who will enact procedure for 1.3 *Procedure For Responding To Child Abuse And Neglect*.
8. Where a complaint cannot be resolved between I CAN and the complainant, then I CAN will advise the complainant of their right to refer the complaint to the [NDIS Quality and](#)

[Safeguards Commission](#) (Telephone: 1800 035 544 (free from landlines, interpreters can be arranged)).

Where a written complaint is made via the [online form](#) or email by a complainant the staff member will:

1. Within five working days via email, respond to the complainant in writing by respectfully acknowledging and validating their feedback, concern or complaint.
2. Determine the follow up desired by the complainant via an email or a telephone conversation and record these details.
3. Provide the complainant with the I CAN resolution procedure and a specific timeframe within which the complainant will receive feedback. Identify with the complainant, whether the young person is aware that the concerns have been raised on their behalf, and the nature of any discussions the complainant has already had about the complaint with the young person.
4. Within 28 days provide the complainant with the results of actions taken to resolve the complaint.
5. Follow up the complaint as appropriate and as soon as is practicable by providing the complainant with feedback regarding any further results of any actions taken to resolve their complaint.
6. Any feedback, complaints, or concerns involving child abuse or harm will be escalated to the Child Safeguarding Officer who will enact procedure for 1.3 *Procedure For Responding To Child Abuse And Neglect*.
7. Where a complaint cannot be resolved between I CAN and the complainant, then I CAN will advise the complainant of their right to refer the complaint to the [NDIS Quality and Safeguards Commission](#) (Telephone: 1800 035 544 (free from landlines, interpreters can be arranged)).

### **2.3. Step by step complaints procedure for complainants**

I CAN values your feedback.

If you are not happy with your experience in the I CAN program or events and would like to provide us with your feedback or make a complaint, you can let us know by following the steps below:

### **3 Steps for relevant persons to make a complaint**

1. Talk to the person involved.
  
2. If you cannot work out your problem this way, you can complete this [online form](#).
  
3. Contact the [NDIS Quality and Safeguards Commission](#) (Telephone: 1800 035 544 (free from landlines, interpreters can be arranged)). If you:
  - Believe your problem has not been resolved;
  - Are not happy with the outcome
  - Do not want to contact the I CAN Customer Services Manager or Leadership team directly.

All complaints are handled in accordance with our Feedback, Complaints and Incident Management Policy (this policy).

#### **2.4. Procedure for recording and managing incidents that have or could have caused harm in connection to the service**

To protect the health, safety, and wellbeing of relevant persons the below provides a structured response to incidents, including near misses and hazards. This covers all incidents occurring during the delivery of programs and events, including I CAN Schools, I CAN Online, and other I CAN events. For all incidents arising in connection with an I CAN program or event, the [Managing Incidents Form](#) must be completed. An incident is defined as an event that causes or has the potential to cause harm.

## 2.5. Incident Identification

Staff must identify incidents occurring in connection to I CAN programs and events. Incidents are classified in three ways: simple (near miss), moderate (minor injury), and major (reportable). Incidents include alleged or suspected abuse/neglect, serious injuries or unexpected death, unauthorised restrictive practices, serious property damage or behavioural incidents causing serious harm. Reportable Incidents include death, serious injury, abuse/neglect, unlawful physical/sexual contact, and unauthorized restrictive practices.

## 2.6. The 5 Cs for immediate response procedures

- Contain: Ensure the safety of relevant persons immediately (e.g., remove hazards).
- Call for help: Call 000 for emergency services if a medical emergency or criminal act has occurred.
- Check: Assess the wellbeing of relevant persons involved.
- Communicate: Notify your supervisor as soon as it is safe to do so.
- Confidentiality: Ensure the privacy of all involved.

## 2.7. Reporting and Documentation

- The I CAN staff member supervising the program or event must complete the [Managing Incidents Form](#) immediately after the program session or event and email it to their supervisor.
- The Customer Services Manager must report any *reportable incidents* to the [NDIS Commission](#) within 24 hours.

## **2.8. Record Keeping, Investigation, and Review**

All incident records are maintained for seven years. For serious incidents or near misses, a thorough investigation must be conducted by I CAN management to identify contributing factors and whether the incident was preventable. I CAN management will then:

- Review the current risk management plan to mitigate further risk.
- Develop a remedial action plan (e.g., staff training, equipment/ venue change, review of program/ event practices).

## **2.9. Continuous Improvement and Learning**

- I CAN management will review incident reports quarterly to identify trends.
- Provide regular training on incident reporting and management.

Review the incident management process annually.

## **2.10. References**

<https://www.ndiscommission.gov.au/rules-and-standards/reportable-incidents-and-incident-management/incident-managment>



